



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://ceo.lacounty.gov>

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

January 15, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

DISTRICT ATTORNEY'S SALARY (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

Approve the accompanying ordinance amending Title 6 of the Los Angeles County Code to adjust the salary of the District Attorney to \$292,300 per annum effective December 1, 2008.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommendation is to better align the District Attorney's salary with the salaries of other County Department Heads and subordinate District Attorney staff.

Implementation of Strategic Plan Goals

Approval of the accompanying ordinance will promote workforce excellence and organizational effectiveness by establishing appropriate compensation for the office of District Attorney.

FISCAL IMPACT/FINANCING

There will be no impact from this recommendation prior to fiscal 2008-09. The cost beginning in that year will be absorbed in the District Attorney's budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Section 52 of the County Charter prohibits any adjustment in the salary of an elected official during the individual's term of office or within 90 days prior to election (or within 30 days prior to election where a new incumbent is taking office). The next term of office for District Attorney will begin on December 1, 2008, and the election for that term will be included in the June 3, 2008 primary election process. Depending on the results of that election, the incumbent for the new term will be determined on June 3, 2008, or in a runoff election on November 4, 2008. Given these circumstances, it is appropriate that the salary for District Attorney be addressed at this time.

The District Attorney is currently compensated at a flat \$236,829 per annum. This rate is subject to annual cost-of-living adjustments on July 1 of each year based on the percentage movement in the Consumer Price Index (CPI) for the preceding calendar year, not to exceed 4 percent. We are projecting a 4 percent adjustment in the current rate to \$246,302 effective July 1, 2008. The incumbent District Attorney is permitted to receive these adjustments under Section 52 of the County Charter because the mechanism to provide them predates the last election and is essentially self-administering. This is the same cost-of-living provision that applies to the Sheriff and Assessor.

The recommended rate of \$292,300 per annum represents an approximate 18.7 percent increase over the salary that would otherwise be in effect for the District Attorney on December 1, 2008. It would effectively re-set the base salary to which future cost-of-living adjustments would apply as outlined above. The recommended base would increase on July 1, 2009 by the increase in the CPI in 2008, and would increase again on each subsequent July 1 assuming the CPI continued to increase.

Periodically re-evaluating the base is necessary in our judgment. Although the CPI is a commonly used index for making many types of economic adjustments, it has limited value as a determinant of pay policy for any job over the long term. The CPI does not measure pay trends, much less pay trends for any specific occupation. It does not adjust for internal pay relationships within the District Attorney's office, and it does not reflect pay related actions taken by your Board with respect to other County employees.

The District Attorney is a unique position not easily compared to any other position. However, we believe the recommended salary of \$292,300 is appropriate in light of the salaries paid to other Department Heads and the salary structure currently in place for District Attorney management staff. For example, the recommended rate will be approximately 12.8 percent higher than the projected January 1, 2009 salary for the Public Defender who is compensated under the Management Appraisal and Performance Plan (MAPP). Given the performance based nature of MAPP and the fact that merit adjustments may be granted under MAPP in addition to general salary adjustments, the 12.8 percent differential may be eroded by the end of the next term of office for the District Attorney. Starting out, it would be good to have this buffer.

The next terms for the Sheriff and Assessor begin in December 2010. We will plan to submit additional recommendations for these positions at a later date.

The accompanying ordinance has been approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DIL:WGL
SM:YK:df

c: Executive Officer, Board of Supervisors
County Counsel
Auditor-Controller
Director of Personnel
District Attorney